



Hon. Sylvia O. Hinds-Radix  
Corporation Counsel

**THE CITY OF NEW YORK  
LAW DEPARTMENT**  
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April 6, 2022

**VIA ECF**

Hon. Paul A. Engelmayer  
U.S. District Court  
Southern District of New York  
40 Centre Street, Room 2201  
New York, NY 10007

Re: *S.K. et al. v. N.Y.C. Dep't of Education*, 21-cv-7291 (PAE)(SN)

Dear Judge Engelmayer:

I am a Special Assistant Corporation Counsel in the office of Corporation Counsel, Hon. Sylvia O. Hinds-Radix, attorney for Defendant in the above-referenced action, wherein Plaintiffs seeks solely attorneys' fees, costs and expenses for legal work on an administrative hearing under the Individuals with Disabilities Education Act ("IDEA"), 20 U.S.C. §1400, *et seq.*, as well as for this action.

I write to respectfully request that the initial conference, scheduled for April 20, 2022, be adjourned *sine die*, and that the parties be permitted to submit a joint status letter by May 20, 2022. Plaintiff consents to a one-month adjournment of the initial conference.

This is the second request to adjourn the conference. The first request was made on Much 24, 2022 and granted by Your Honor the following day. We are pleased to report that Defendant made an initial settlement offer to Plaintiff on April 4, 202, and we look forward to Plaintiff's acceptance or counteroffer and thereafter holding a further meet and confer. Given that the instant matter is merely an application for attorneys' fees and costs, and liability is not at issue, we are hopeful that the parties can settle this case without further burden on the Court's time. As Your Honor is aware, these IDEA fees-only disputes are either resolved through

settlement or through motion practice, such as in the matter of *H.A. v. New York City Dep't of Educ.*, 20-cv-10785 (PAE) (S.D.N.Y. February 25, 2022), over which Your Honor presided.

Accordingly, Defendant respectfully requests that the April 20, 2022 conference be adjourned *sine die*, and that the parties be permitted to submit a joint status letter by May 20, 2022.

Thank you for considering these requests.

Respectfully submitted,

/s/

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Martha Nimmer  
Special Assistant Corporation Counsel

cc: Michele Kule-Korgood, Esq. (via ECF)

The Court adjourns the initial pretrial conference until May 4, 2022, at 9:30 a.m. The required submissions, *see* Dkt. 15, will be due April 29, 2022. Should the parties seek another adjournment they should submit another status letter detailing the progress of settlement on or before April 29, 2022. SO ORDERED.



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PAUL A. ENGELMAYER  
United States District Judge  
4/6/22